

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

MARIE TAYLOR,

Plaintiff,

v.

Civil No.: 3:18cv00257-JMV

**NANCY BERRYHILL,
COMMISSIONER OF
SOCIAL SECURITY,**

Defendant.

ORDER ON PETITION FOR ATTORNEY FEES

Before the Court are Plaintiff's motion [19] for attorney fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), and Defendant's response [20]. For the reasons that follow, the motion is granted.

In these proceedings Plaintiff sought judicial review of the Social Security Commissioner's final decision denying a claim for benefits. By Final Judgment [18] dated January 22, 2020, this Court remanded this case to the Commissioner for further proceedings. Plaintiff now seeks attorney fees in the amount of \$5,585.27 on the grounds that Plaintiff was the prevailing party and the Commissioner's position was not "substantially justified." Plaintiff also seeks reimbursement for costs in the amount of \$24.00. The Commissioner responds that he is unopposed to the foregoing request. Notwithstanding, the Commissioner points out any EAJA award should be made payable to Plaintiff—not her counsel—pursuant to *Astrue v. Ratliff*, 130 S. Ct. 2521 (2010).

The Court, having thoroughly considered the motion, response, and the applicable law, finds the requested fee award is reasonable; no special circumstance would make the fee award unjust; and the motion should be granted.

THEREFORE, IT IS ORDERED:

That the Commissioner shall promptly pay to Plaintiff \$5,585.27 in attorney fees and \$24.00 in costs for the benefit of Plaintiff's counsel.

This 25th day of March, 2020.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE